

Assembly Bill No. 436

Passed the Assembly September 10, 2009

Chief Clerk of the Assembly

Passed the Senate September 9, 2009

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2009, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to add Section 9004.5 to the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

AB 436, Saldana. Elections: initiatives.

Existing law requires that the proponents of an initiative measure submit a draft of the measure to the Attorney General for preparation of a summary of its chief purposes and points. Under existing law, the proponents are required to also submit at that time a \$200 fee that is held in trust and refunded to the proponents if the measure qualifies for the ballot within a specified time period, but the fee is paid to the General Fund if the measure fails to qualify.

This bill would instead require that a new fee from \$500 in 2010 to \$2,000 in 2016 be paid in lieu of current fees. The bill would require the fee to be refunded if the measure qualifies for the ballot within 2 years and to be deposited into the General Fund if it does not qualify, to be used to reimburse the Attorney General for the costs of preparing the title and summary of proposed initiative measures. The bill would require in 2018 that the Attorney General biennially review the fee and increase it in accordance with an increase in the California Consumer Price Index.

The people of the State of California do enact as follows:

SECTION 1. Section 9004.5 is added to the Elections Code, to read:

9004.5. (a) Notwithstanding Section 9001 or 9004 or any other provision of law, on or after January 1, 2010, the proponents of an initiative measure, at the time of submitting the draft of the measure to the Attorney General, shall pay in lieu of all other fees, a fee to the Attorney General in accordance with the following schedule:

- (1) Five hundred dollars (\$500), beginning January 1, 2010.
- (2) One thousand dollars (\$1,000), beginning January 1, 2012.

(3) One thousand five hundred dollars (\$1,500), beginning January 1, 2014.

(4) Two thousand dollars (\$2,000), beginning January 1, 2016.

(b) A fee received under subdivision (a) shall be placed into a trust fund in the office of the Treasurer and refunded to the proponents if the measure qualifies for the ballot within two years from the date the summary is furnished to the proponents. If the measure does not qualify within that period, the fee shall be paid into the General Fund of the state for reimbursement of the costs incurred by the Attorney General for preparing the title and summary of proposed initiative measures.

(c) Beginning in 2018, the Attorney General shall annually review the amount of the fee required by this section and every two years, beginning in 2018, shall increase the fee in an amount equaling an increase in the California Consumer Price Index as determined pursuant to Section 2212 of the Revenue and Taxation Code.

Approved _____, 2009

Governor